



CASE REVIEW / TRAINING / SPECIAL MEETING
MINUTES OF ACTIONS
Wednesday, February 8, 2012
Art Pick Council Chambers
3900 Main Street, Riverside, CA

CASE REVIEW – 4:30 PM

PLEDGE OF ALLEGIANCE

Case Review Roll Call

| Rotker | Smith | Johnson | Brandriff | Ortiz | Jackson | Roberts | Santore | Adams |
|--------|-------|---------|-----------|-------|---------|---------|---------|-------|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early **■** = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Oath of Office

City Clerk Colleen Nicol to administer the Oath of Office to newly appointed CPRC Commission Member Joseph T. Ortiz.

Recently-appointed Ward 2 Commissioner Joe Ortiz took the Oath of Office administered by Colleen Nicol, City Clerk for the City of Riverside. Commissioner Ortiz received a warm welcome from his fellow commissioners.

Public Comment

There was no public comment on closed session items.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:05 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

| | CPRC CASE NO. | RPD CASE NO. |
|----|----------------------|---------------------|
| 1) | 11-032 | PC-11-09044 |

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

5:30 PM – TRAINING / SPECIAL MEETING (OPEN SESSION)

Audio for the following proceedings is available on the CPRC website: www.riversideca.gov/cprc

PLEDGE OF ALLEGIANCE

Roll Call

| Rotker | Smith | Johnson | Brandriff | Ortiz | Jackson | Roberts | Santore | Adams |
|---------------|--------------|----------------|------------------|--------------|----------------|----------------|----------------|--------------|
| ✓ | ✓ | ✓ | B | ✓ | ✓ | ✓ | ✓ | ✓ |

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Public comment on any subject matter within the Commission's jurisdiction.

Salvador Santana said there have been 18 officer-involved death incidents since the Commission began in 2001. He said that the majority of the decedents caused their own demise and referred to the Hyatt case which he called "suicide by cop." He said that the pattern in these incidents is the same: the decedent has broken the law.

Mary Shelton said she is aware of the 18 cases and that all are unique. The different criminal violations included people who were mentally ill and used the Lee Deante Brown case, noting that Mr. Brown wasn't even aware that the officers were there. She also noted that mental health intervention has had a positive effect.

Minutes

Correction of minutes for January 11, 2012 to show Commissioner Smith as "Absent / Other."

| Minutes for Approval | Motion | Second | Approve | Oppose | Abstain |
|--|---------------|---------------|---|---------------|----------------|
| Correction of Commissioner Smith's Attendance on January 11, 2012 to show her "Absent / Other" | Adams | Roberts | Rotker Johnson Jackson Roberts Santore Adams | 0 | Smith Ortiz |

Training

- A)** "Early Warning System" Presentation by Lt. Bruce Loftus, RPD Support Services, Personnel and Training Division
- B)** Commission Discussion / Question and Answer with Lt. Loftus

(The audio of this presentation is on the CPRC website along with the slide show.)

Lt. Loftus made a presentation and answered Commission questions on the Early Warning System (EWS).

Commissioner Rotker:

- Please define reportable incidents
 - Sustained or Not Sustained personnel complaints
- Entry in the EWS is non-disciplinary, but is it in the officer's permanent record?
 - Yes, it doesn't go in evaluations or IA as discipline, but shows that the officer went to training through the EWS.
- Does being in the EWS go against an officer's chances of promotion?
 - No. The EWS's job is to correct, not to discipline. The EWS shouldn't even be part of the discussion because the Command Staff should be evaluating the employee on his or her abilities
- Is there a probationary period for newly hired officers?
 - Yes. 18 months.
- If an officer is entered into the EWS during probation, is it a significant problem?
 - No. The probationary period is when officers make the most mistakes. How does the employee respond to training – everyone makes mistakes. How the employee handles deficiencies is addressed. The employee has to be willing to accept responsibility for the errors and want to change.

Commissioner Johnson:

- If a person goes into the EWS and then shortly after, is in the EWS again
 - What were the incidents? The officers may have done everything right.
- Is there a point where it escalates from training to a warning to "he's just not getting it?"
 - An officer can't be disciplined except for violating department policy. Violations wouldn't be used for EWS, but could be a stepping point for training and discipline both.

Mary Shelton thanked Lt. Loftus for the presentation. Is the system designed to determine if there are supervisory or academy situations that relate to issues officers may have.

Lt. Loftus said yes, they look at supervision and do after action reports or if certain officers hanging out together.

Mr. Hauptmann said that while EWS is not disciplinary, an incident or event that is in EWS could be a policy violation; situations are addressed up front regarding discipline and training.

Lt. Loftus noted that a reprimand or salary dock is not necessarily helpful, but that in many disciplinary actions, training is involved.

2011 Annual Report

Discussion and action, if any, on Draft No. 3 of the 2011 Annual Report

Committee Chair Roberts advised that the Committee met on February 3rd. She also noted that a cover needed to be selected.

Commissioner Adams said she liked Option 10 because of the judicial connection.

| Motion for Approval | Motion | Second | Approve | Oppose | Abstain |
|------------------------------|---------------|---------------|---|---------------|--------------------|
| Selection of Cover Option 10 | Adams | Smith | Rotker Smith Ortiz Roberts Santore Adams | 0 | Johnson Jackson |

There was discussion regarding Figures 5 and 6 and whether to call Fig. 5 “Cases Filed” or “New Cases.” Commission consensus was to call it “Cases Filed” and remove OIDs from the totals in both Figs. 5 and 6.

Content of “Trends and Patterns” was also discussed. Mr. Hauptmann said it shouldn't be left to reader to draw their own conclusion on the information presented in the report, but that the Commission should address these items. He said that maybe RPD could give explanations for certain increases or decreases in numbers that the Commission knows nothing about.

Commissioner Rotker noted that if a trend is seen in the numbers, take the data to RPD and get an analysis before the report is finalized. Mr. Hauptmann said that could be done and even if PD can't answer, at least the Commission will be addressing the question.

Committee Chair Roberts asked commissioner to get any changes or suggestions to Ms. Sherron before the next meeting so they could be included in the final draft.

Mr. Hauptmann commended the Committee for the great job they've done and the leadership of Committee Chair Roberts.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Commissioner Johnson said a “Thank You” letter was received from CIONO, and that CPRC would have a booth at the Black History Parade and Expo on February 11.

Commissioner Ortiz thanked everyone for the warm welcome.

Chairman Santore said it would be good to start the Annual Report review in October or November. He mentioned the odd / even review of the Policies, Procedures, and By-Laws and that he would like to see that review done in that cycle although it wouldn't have to be an intense review each year. However, the Annual Report is important because it is recurring.

Items for Future Commission Consideration

Chairman Santore said he would like to learn what racial profiling training officers receive; the difference between a Terry stop and “pat and frisk;” and search warrants.

Mr. Hauptmann said that Lt. Loftus could assist with racial profiling and search warrants.

Adjournment

The Commission adjourned at 6:50 PM.

Respectfully submitted,


PHOEBE SHERRON
Sr. Office Specialist